



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

February 7, 2013

MARGARET BERARDINELLI, TREASURER
COALITION OF AMERICANS FOR POLITICAL
EQUALITY
1776 I STREET NW 9TH FLOOR, SUITE 90031
WASHINGTON, DC 20006

Response Due Date
03/14/2013

IDENTIFICATION NUMBER: C00493486

REFERENCE: OCTOBER QUARTERLY REPORT (07/01/2012 - 09/30/2012)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 6 item(s):

1. Your calculations for Line 8 appear to be incorrect. Cash on hand at the close of the current reporting period should always equal the closing calendar year to date cash on hand amount. Please provide the corrected total on the Summary Page. (2 U.S.C. § 434(b))
2. Schedule E of your report discloses the Calendar Year-To-Date Per Election for Office Sought totals that do not match FEC calculations for these amounts (see attached). Please amend your report to clarify this discrepancy. (2 U.S.C. § 434(b)(4) and 11 CFR §104.4(f))
3. Schedule E of your report indicates that your committee may have failed to file one or more of the required 24 hour report(s) regarding "last minute" independent expenditures (see attached). A political committee must file a 24 hour report with the Federal Election Commission as specified in 11 CFR §104.4(c), within 24 hours of any independent expenditures of \$1,000 or more with respect to a given election, made between two and twenty days before an election. The report must be received by the Commission by 11:59 p.m. on the day following the date on which independent expenditures that aggregate \$1,000 or more are publicly distributed or disseminated. These expenditures must then be fully itemized on Schedule E, or as memo entries on Schedule E and reflected on Schedule D if distributed or disseminated prior to payment, of the next report required to be filed by the committee. Although the

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Commission may take further action concerning this matter, your prompt response will be taken into consideration. (11 CFR §104.3(b))

4. Schedule E of your report indicates that your committee may have failed to file one or more of the required 48 hour report(s) for independent expenditures (see attached). A political committee must file a 48 hour report with the Federal Election Commission as specified in 11 CFR §104.4(b), within 48 hours of any independent expenditures aggregating \$10,000 or more with respect to a given election, made any time during the calendar year up to and including the 20th day before an election. The report must be received by the Commission by 11:59 p.m. on the second day following the date on which independent expenditures that aggregate \$10,000 or more are publicly distributed or disseminated. These expenditures must then be fully itemized on Schedule E, or as memo entries on Schedule E and reflected on Schedule D if distributed or disseminated prior to payment, of the next report required to be filed by the committee. Although the Commission may take further action concerning this matter, your prompt response will be taken into consideration. (11 CFR §104.3(b))

5. The independent expenditure schedule (Schedule E) should disclose the following information: the name and mailing address of the payee, the purpose of the expenditure, the date of payment, the amount of payment, the name and office sought, state and district (if applicable) of the federal candidate, the calendar year-to-date, per election, for office sought total, the election designation, an indication of whether the candidate was supported or opposed and the signature of the treasurer. Please amend Schedule E by providing the state and district.

Please be advised that the Commission determined in Advisory Opinion 2003-40 that each State's Presidential primary is considered a separate election for purposes of aggregating independent expenditures. (11 CFR §104.3(b)(3) (vii))

6. Schedule E supporting Line 24 of your report discloses an independent expenditure(s) on behalf of "Ted Cruz", "Jeff Flake", "Josh Mandel", and "Allen West" which appears to have been publicly disseminated or distributed after the primary date(s) in the respective state(s). Please be advised that if a communication is aired in one reporting period and the payment is made in a later reporting period, the independent expenditure should be reported as a memo entry on Schedule E when the communication is publicly disseminated or distributed, and on a Schedule D if it is a reportable debt under 11 CFR §104.11. When the payment for the independent expenditure is made, the

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report should show a payment on Schedule E and the same payment on Schedule D, if applicable.

Please amend your report to provide further clarifying information regarding the independent expenditures disclosed after the primary date(s).

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1133.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Morse", with a stylized flourish at the end.

Christopher Morse
Senior Campaign Finance Analyst
Reports Analysis Division

Aggregate Year-to-Date Total(s) Calculated Incorrectly
Coalition of Americans For Political Equality (C00493486)

Candidate(s) Name	Reported YTD Total	YTD Total Calculated by FEC	Discrepancy
Ted Cruz	\$14,553.03	\$21,108.80	\$6,555.77
Byron Donalds	\$5,000.00	\$8,493.91	\$3,493.91
Jeff Flake	\$10,000.00	\$12,066.33	\$2,066.33
Mitt Romney/Barack Obama	\$23,046.24	\$25,798.76	\$2,752.52
Allen West	\$7,561.17	\$17,683.32	\$10,122.15

Missing 24 Hour Report (Schedule E)
Coalition of Americans For Political Equality (C00493486)

Name of Payee	Date	Amount	Candidate	Election
Facebook	7/31/2012	\$878.15	Allen West	P2012 - FL
InfoCision	7/31/2012	\$3,014.59	Allen West	P2012 - FL
GoogleTV	7/31/2012	\$3,486.47	Allen West	P2012 - FL

Missing 48 Hour Report (Schedule E)
Coalition of Americans For Political Equality (C00493486)

Name of Payee	Date	Amount	Candidate	Election
GoogleTV	7/31/2012	\$12,507.81	Mitt Romney	G2012
GoogleTV	8/31/2012	\$8,688.43	Mitt Romney	G2012
GoogleTV	9/10/2012	\$1,850.00	Mitt Romney	G2012
GoogleTV	9/10/2012	\$2,752.52	Barack Obama	G2012